

SBCAG STAFF REPORT

SUBJECT: Report on Circumstances of the COVID-19 State of Emergency

MEETING DATE: October 3, 2022

AGENDA ITEM: 2

STAFF CONTACT: Marjie Kirn

RECOMMENDATION:

- A. Reconsider the circumstances of the COVID-19 state of emergency;
- B. Consider whether state or local officials continue to impose or recommend measures to promote social distancing;
- C. Find that the SBCAG Board has reconsidered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
- D. Direct staff to continue to notice and hold hearings as remote hearings consistent with Government Code § 54953(e)(3).

DISCUSSION:

In September 2021, the California State Legislature passed, and the Governor signed, Assembly Bill 361 (Rivas, 2021) (AB 361), which amends the Government Code to allow Brown Act bodies to continue to meet remotely if certain elements are met. AB 361 took effect immediately and applies to all Brown Act boards, committees, and commissions.

On January 31, 2020, the Secretary of Health and Human Services (HHS) declared a public health emergency under section 319 of the Public Health Service Act (42 USC § 247d) in response to COVID-19. On March 13, 2020, the US President declared a national emergency concerning the COVID-19 pandemic which on February 18, 2022 was extended beyond March 1, 2022. On March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by COVID-19 which has been extended beyond March 31, 2022. On March 12, 2020, the Santa Barbara County Director of Emergency Services proclaimed a Local Emergency as a result of the COVID-19 and the Santa Barbara County Health Officer declared a Local Health Emergency, due to the imminent and proximate threat to public health from the introduction of COVID-19. Thereafter, on March 17, 2020, the Santa Barbara County Board of Supervisors ratified the Proclamation of a Local Emergency and the Declaration of a Local Health Emergency which remain in effect.

As of September 1, 2022, Santa Barbara County Public Health Officials continue to recommend utilizing teleconferencing options for public meetings as an effective social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease (attached). As of September 16, 2022, the COVID-19 community transmission level is categorized as “Low” in Santa Barbara County by the Centers for Disease Control & Prevention (CDC). As of September 20, 2022, the County has a case rate of 8.1 per 100,000 and a test positivity of 4.6%. The County Health Officer and the California Department of Public Health continue to recommend all individuals wear a face covering in public indoor settings.

ATTACHMENT:

- A. Health Officials AB 361 Social Distance Recommendation



ATTACHMENT A



Public Health Administration

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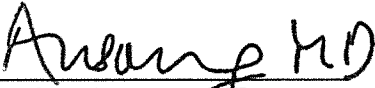
September 1, 2022

HEALTH OFFICIALS AB 361 SOCIAL DISTANCE RECOMMENDATION

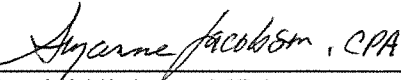
COVID-19 disease prevention measures, endorsed by the Centers for Disease Control and Prevention, include vaccinations, facial coverings, increased indoor ventilation, handwashing, and physical distancing (particularly indoors).

Since March 2020, local legislative bodies-such as commissions, committees, boards, and councils- have successfully held public meetings with teleconferencing as authorized by Executive Orders issued by the Governor. Using technology to allow for virtual participation in public meetings is a social distancing measure that may help control transmission of the SARS- CoV-2 virus. Public meetings bring together many individuals (both vaccinated and potentially unvaccinated), from multiple households, in a single indoor space for an extended time. For those at increased risk for infection, or subject to an isolation or quarantine order, teleconferencing allows for full participation in public meetings, while protecting themselves and others from the COVID-19 virus.

Utilizing teleconferencing options for public meetings is an effective and recommended social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and others from the COVID-19 disease. This recommendation is further intended to satisfy the requirement of the Brown Act (specifically Gov't Code Section 54953(e)(1)(A)), which allows local legislative bodies in the County of Santa Barbara to use certain available teleconferencing options set forth in the Brown Act.



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for Daniel Nielson, MPA
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